

May 03, 2018



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 20649

EXPIRATION DATE: 2019-01-31

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Stericycle, Inc.
Indianapolis, IN
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the use of alternative packagings for the transportation of recalled lithium ion batteries contained in equipment. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subparts C, D, E, G and H of Part 172 in that shipping papers, marking, labeling, emergency response information and training are not required; and § 173.185(f) in that alternative packagings are authorized, as provided herein.

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5. BASIS: This special permit is based on the application of Stericycle, Inc. dated April 23, 2018, submitted in accordance with § 107.117 and a determination that it is necessary to protect life and property.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries contained in equipment	9	UN3481	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are unopened factory-sealed original packagings, within which Vuse Vibe electronic cigarette products were previously transported, and are consolidated into overpacks, unit load devices or palletized loads.

b. OPERATIONAL CONTROLS -

(1) Each Vuse Vibe power unit may contain no more than one lithium ion cell, as described by Stericycle and on file with the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD). The cell may not be rated to more than 2.29 Wh.

(2) Cells must have originally met the requirements of § 173.185(c) and Special Provision 188 of the IMDG Code, including successfully passing the tests in accordance with the UN Manual of Tests and Criteria, Fifth Revised Edition.

(3) Shipments authorized under the special permit are only in support of R.J. Reynolds Vapor Company's voluntary recall of Vuse Vibe electronic cigarette products.

(4) Shipments of recalled Vuse Vibe products are limited to transportation from consumers, wholesalers, distribution centers, manufacturing facilities and

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retail stores to Stericycle, Inc.'s facilities or R.J. Reynolds Vapor Company's affiliate's facilities engaged in recycling or disposal.

(5) Packages must be stored away from heat.

(6) Each shipment offered under the terms of this special permit must be accompanied by a document that includes the following:

(i) An indication that the package contains lithium ion cells;

(ii) An indication that each package is to be handled with care and that a flammable hazard exists if a package is damaged;

(iii) An indication that a package should not be transported if damaged; and

(iv) A telephone number for additional information.

(7) Detailed handling, closure, packing and shipping instructions must be provided to designated individuals who prepare the shipments.

c. MARKING: Each package, and overpack if used, must be marked with:

(1) The special permit number, "DOT-SP 20649", in accordance with § 172.301(c);

(2) The words "Recalled lithium battery powered device" in accordance with § 172.304 and with the lithium battery handling marking conforming to § 173.185(c)(3)(i); and

(3) The words "FORBIDDEN FOR TRANSPORT BY AIRCRAFT - GROUND AND VESSEL SHIPMENT ONLY".

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

- b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered for transportation in conformance with this special permit and the HMR.
 - c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
 - d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Safety Approvals and Permits Division for a specific manufacturing facility.
 - e. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.
 - f. Shipping instructions must be provided to individuals preparing shipments under the terms of the special permit.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or common carrier motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, Parts 171-180.

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- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) – "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Associate Administrator for Hazardous Materials Safety

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at

http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm

Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Steve H/kah